

FILED

JAN 04 2008

**BEFORE THE DISCIPLINARY COMMISSION
OF THE SUPREME COURT OF ARIZONA**

DISCIPLINARY COMMISSION OF THE
SUPREME COURT OF ARIZONA
BY *[Signature]*

IN THE MATTER OF A MEMBER
OF THE STATE BAR OF ARIZONA,

No. 06-0687, 06-1273

MICHAEL A. URBANO,
Bar No. 023029

**DISCIPLINARY COMMISSION
REPORT**

RESPONDENT.

This matter came before the Disciplinary Commission of the Supreme Court of Arizona on December 8, 2007, pursuant to Rule 58, Ariz.R.Sup.Ct., for consideration of the Hearing Officer's Report filed November 19, 2007, recommending acceptance of the Tender of Admissions and the Agreement for Discipline by Consent (Tender) and the Joint Memorandum (Joint Memorandum) in Support of Agreement for Discipline by Consent providing for a sixty-day suspension, one year of probation with the State Bar's Member Assistance Program (MAP), and costs.

Decision

Having found no facts clearly erroneous, the nine members of the Disciplinary Commission unanimously recommend accepting and incorporating the Hearing Officer's findings of fact, conclusions of law, and recommendation for a sixty-day suspension, one year of probation (MAP) and costs of these disciplinary proceedings.¹ The terms of probation are as follows:

¹ A copy of the Hearing Officer's Report is attached as Exhibit A.

Terms of Probation

1. Respondent shall be placed on one year of probation, which will begin after his reinstatement to active status and run for one year from his signing of a Memorandum of Understanding.

2. Respondent shall contact the MAP director and schedule an assessment. Respondent thereafter, shall enter into a MAP contract based on the recommendations of the MAP director or designee.

3. Respondent shall pay all costs incurred in these discipline proceedings.

4. In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information, bar counsel shall file with the imposing entity a Notice of Non-Compliance, pursuant to Rule 60(a)(5), Ariz.R.Sup.Ct. The Hearing Officer shall conduct a hearing within 30-days after receipt of said notice, to determine whether the terms of probation have been violated and if an additional sanction should be imposed. In the event there is an allegation that any of these terms have been violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by clear and convincing evidence.

RESPECTFULLY SUBMITTED this 4th day of January 2008.


J. Conrad Baran, Chairman
Disciplinary Commission

Original filed with the Disciplinary Clerk
this 4th day of January, 2008.

Copy of the foregoing mailed
this 4th day of January, 2008, to:

1 Stanley R. Lerner
2 Hearing Officer 7V
3 3707 North 7th Street, Suite 250
4 Phoenix, AZ 85014-5057

5 Veronica L. Manolio
6 Respondent's Counsel
7 *Ronan & Firestone, P.L.C.*
8 9300 E. Raintree Drive, Suite 120
9 Scottsdale, AZ 85260

10 Denise K. Tomaiko
11 Bar Counsel
12 State Bar of Arizona
13 4201 North 24th Street, Suite 200
14 Phoenix, AZ 85016-6288

15 by: *M. Smith*

16 /mps
17
18
19
20
21
22
23
24
25
26